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Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Saturday, February 27, 2021

Department of Justice Issues Statement Announcing Decision to Appeal *Terkel v. CDC*

Brian M. Boynton, Acting Assistant Attorney General for the Justice Department's Civil Division, released the following statement:

"The CDC's eviction moratorium, which Congress extended last December, protects many renters who cannot make their monthly payments due to job loss or health care expenses. By preventing people from becoming homeless or having to move into more-crowded housing, the moratorium helps to slow the spread of COVID-19.

The Department of Justice respectfully disagrees with the February 25 decision of the district court in *Terkel v. CDC* that the CDC's eviction moratorium exceeds Congress' powers under the Commerce Clause and the Necessary and Proper Clause, and the Department has appealed that decision. The decision, however, does not extend beyond the particular plaintiffs in that case, and it does not prohibit the application of the CDC's eviction moratorium to other parties. For other landlords who rent to covered persons, the CDC's eviction moratorium remains in effect."

Attachment(s):

[Download notice of appeal.pdf](#)

[Download notice of supplemental authority.pdf](#)

Topic(s):

Coronavirus

Component(s):

[Civil Division](#)

Updated February 27, 2021

A handwritten signature in black ink, appearing to read "RJ".